

Montgomery schools go too far with legal ploy for more funds despite hard times

By Robert McCartney, Wednesday, March 23, 8:59 PM

For 12 years, Montgomery County School Superintendent Jerry Weast has been the savviest political player in Rockville. He's repeatedly outmaneuvered the County Council and other parties to expand his budget, protect his staff and enhance his national reputation.

But now, in his final year in the job, Weast and his allies on the county school board might have gone too far. [Frustrated that the county wasn't going to increase school funding for the coming year](#), the board filed a legal petition with the state that effectively pressures Montgomery to give the schools an additional \$82 million that the county says it can't afford.

The move has infuriated members of the County Council, who accuse Weast of refusing to share in necessary sacrifices other county programs are enduring in hard times.

"It's a profound finger in the eye from the departing superintendent. He wants to go out with a great big gesture of defiance," council member George Leventhal said. "The fundamental argument [from Weast] is: Forget the police, forget the fire department, forget the libraries, forget environmental protection — none of that matters."

I have some sympathy for Weast's position. He says, with some justification, that the school system is just trying to get the state to clarify an ambiguous law that desperately needs revision. Weast also deserves some benefit of the doubt, given the impressive record he's built maintaining high academic standards while the school system steadily grew and became more diverse.

Nevertheless, in practical terms, the legal petition is quite unproductive, and the board should withdraw it. The filing makes it impossible for Montgomery to present a united front to the state legislature and State Board of Education to sort out the mess. If a compromise can't be reached, the county risks losing \$22 million or more of state education aid, which would just aggravate its budget pressures.

Weast's stance is so problematic that it even drew objections from the ever-conciliatory County Executive Ike Leggett.

The school system's action "puts us in a very difficult position here at this time," Leggett said. "I would hope maybe that they would reconsider, and let's get back and talk about this locally."

In a narrow sense, the battle highlights the serious shortcomings of Maryland's educational "maintenance of effort" law. It would penalize Montgomery for failing to increase school spending according to a formula that doesn't make sense in this economy. The school board is invoking the law even though it acknowledges that the county can't afford to pay up and would need a waiver for this year.

"You understand that, but you have to fight as hard as you can," said Christopher Barclay, president of the Board of Education. "We have to do all we can to minimize the impact on education funding."

That comment points to a broader question at the center of public policy in Montgomery County: Is it more important to fund the schools than anything else?

The school system's answer basically is yes. That's a popular position in the liberal, well-educated county, and it was easy to sustain as long as the economy was growing.

But as the budget has become stretched, resentment has been swelling. Last year, the council was bitter when Weast succeeded in blocking any furloughs of school employees, while other county workers lost three to eight paid workdays.

"There's a real equity issue here around county employees," said County Council President Valerie Ervin. "We are about to decimate the library budget again. What we're doing to the park system is really a shame."

Weast suggested that the school system should be spared cuts in part because of its good performance over the years.

If the school system "can live within its budget and meet its obligations and fulfill its results, I think everybody should be happy about that. It's been doing it rather well, I think," he said.

Nevertheless, there are signs that he and the school board are ready to give up on getting the \$82 million as long as the council doesn't cut school funding below the flat level that Leggett proposed in his recent budget.

"The issue ultimately is, what is the number that the council is going to come to? When we see that number, we'll sit down and we'll talk," Barclay said.

That suggests that the whole quarrel could turn out to be just the latest deft maneuver by Weast to extract as much money for the schools as he can.